

EXHIBIT D

SHEARMAN & STERLING LLP
599 Lexington Avenue
New York, NY 10022
Telephone: (212) 848-4000
Facsimile: (212) 848-7179
Michael H. Torkin (MT-5511)

Attorneys for DekaBank Deutsche Girozentrale

**UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

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	:
In re	: Chapter 11 Case No.
	:
LEHMAN BROTHERS HOLDINGS INC,	: 08-13555 (JMP)
<u>et al.</u>,	:
	: Jointly Administered
	:
Debtors.	:
-----X	

**DECLARATION OF BURKHARD MAU IN SUPPORT OF MOTION OF DEKABANK
DEUTSCHE GIROZENTRALE FOR RELIEF FROM THE AUTOMATIC STAY**

STATE OF NEW YORK)

) ss.:

COUNTY OF NEW YORK)

I, Burkhard Mau, being duly sworn, state the following under penalty of perjury:

1. I am an Executive Director of DekaBank Deutsche Girozentrale ("DekaBank"), whose offices are located at 76 02 01 Taunusanlage 10, 60329 Frankfurt, Germany. The matters set forth herein are made of my own personal knowledge and, if called and sworn as a witness, I could and would testify competently thereto.

2. This Declaration is made in support of the Motion of DekaBank Deutsche Girozentrale for Relief from the Automatic Stay (the "Motion").¹

¹ Capitalized terms used but not defined herein shall have the meaning ascribed to them in the Motion.

3. DekaBank is a party to the Loan Agreements relating to the financing of the acquisition, pre-construction and construction costs associated with the development of a property located at 254 Park Avenue South in New York, New York.

4. Leman Brothers Holding Inc. ("LBHI"), Trimont and DekaBank are parties to the Agency Agreement pursuant to which LBHI agreed to provide management and administration services in connection with the Senior Loans.

5. Despite my numerous attempts to contact LBHI since the Petition Date, LBHI has consistently failed to respond with any indication as to its current and future ability to perform under the Agency Agreement.

6. Without LBHI performing its obligations under the Agency Agreement, DekaBank risks not being able to service the Senior Loans, including the draw requests made thereunder.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is, to the best of my knowledge, information and belief, complete, true and correct.

Executed on this 7th day of
November, 2008 in Frankfurt, Germany

/s/ Burkhard Mau
Burkhard Mau
Executive Director
DekaBank Deutsche Girozentrale